



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,711	05/31/2000	Barry Stanley Barnett	AUS000165US1	5268

7590

03/09/2004

Joseph P Lally  
Dewan & Lally LLP  
P O Box 684749  
Austin, TX 78768-4749

EXAMINER
----------

JACKSON, JENISE E

ART UNIT	PAPER NUMBER
----------	--------------

2131

DATE MAILED: 03/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

3

# Office Action Summary

Application No.

09/583,711

Applicant(s)

BARNETT, BARRY STANLEY

Examiner

Jenise E Jackson

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Blumenau et al.(6,260,120).
3. As per claims 1, 19, Blumenau et al. discloses a method of accessing a storage network, retrieving a first value from a first copy of a password table(see col. 39, lines 27-31); using the first value to retrieve a second value from the first copy of the password table(col. 39, lines 37-41); encrypting the first value according to a first copy of an encryption key(see col. 39, lines 55-67, col. 1-6, 16-20); sending the encrypted first value to a node of the SAN(see col. 40, lines 16-43); decrypting the encrypted first value according to a second copy of the encryption key; using the decrypted first value to retrieve a third value from a second copy of the password table; encrypting the third value according to the second copy of the encryption key and sending the encrypted third value back to a switch(i.e. port adapter) of the SAN; decrypting the third value according to the first copy of the encryption key and comparing the decrypted third value with the second value; and allowing access to the SAN if the third value and the second value match(see col. 40, lines 16-44, col. 41, lines 22-67, col. 42, lines 1-20).

Art Unit: 2131

corresponding to a host( col. 12, lines 31-37); generating a code value based upon the serial number; comparing the generated code value with a previously determined code value; and denying access to the SAN if the generated code value and the previously determined code value differ(see col. 5, lines 43-67, col. 6, lines 1-10, col. 12, lines 31-65).

5. As per claim 3, Blumenau et al. discloses wherein the code value is further based on a time stamp and date stamp(see col. 39, lines 44-54).

6. As per claim 4, Blumenau et al. discloses wherein the SAN is a Fibre Channel compliant SAN(see col. 12, lines 27-37).

7. As per claim 5, Blumenau et al. discloses periodically executing a key generation application that generates a unique password table and encryption key for each node attached to the SAN(see col. 39, lines 18-54).

8. As per claim 6, Blumenau et al. discloses wherein the key generation application requires privileged access(see col. 39, lines 18-54).

9. As per claim 7, Blumenau et al. discloses wherein the password tables and encryption keys for each node are distributed to each node manually(see col. 39, lines 18-54).

10. As per claim 8, Blumenau et al. discloses wherein the password tables and encryption keys for each node are distributed over a encrypted link(see col. 55-67, col. 40, lines 16-34).

11. As per claim 9, Blumenau et al. discloses a switch port including controller, receiver, transmitter, non-volatile store, and memory, wherein the switch non-volatile storage includes a first copy of a password table and a first copy of an encryption key(see col. 12, lines 27-54, col. 39, lines 18-54), a node including processor, non-volatile storage, memory, and a host bus adapter, wherein the node memory contains at least a portion of a node software interface and the

Art Unit: 2131

switch memory contains at least a portion of a switch software interface(see col. 12, lines 27-54), wherein the software interfaces contain instructions for retrieving a password from the first copy of the password table in response to a login request(see col. 39, lines 18-54), using the password to determine a first response, sending the password to the node, using the password to determine a second response from the second copy of the password table, sending the second response back to the node, comparing the first and second responses; and denying the login request if the first and second response differ(see col. 39, lines 18-54, 55-67, col. 40, lines 17-43).

12. As per claim 10, Blumenau et al. discloses including a key server application including of a set of instructions for generating the encryption key and the key password table for the node and switch(see col. 39, lines 18-54).

13. As per claim 11, Blumenau et al. discloses wherein the key server application generates an encryption key and password table for each node-switch pair of the network(see col. 39, lines 18-54, col. 40, lines 7-15).

14. As per claim 12, Blumenau et al. discloses wherein the encryption key and password table are stored on a portable storage device and manually distributed to the node(see col. 39, lines 18-54).

15. As per claim 13, Blumenau et al. discloses wherein the encryption key and password table are distributed to the node(see col. 39, lines 18-54).

16. As per claim 14, Blumenau et al. discloses wherein the key server application is executed periodically to generate new keys and passwords tables(see col. 39, lines 18-54).

17. As per claim 15, Blumenau et al. discloses wherein the first and second copies of the password table are encrypted according to encryption key and wherein the software interfaces

Art Unit: 2131

include instructions for encrypting and decrypting the responses and the passwords according to the encryption key(see col. 39, lines 18-54).

18. As per claim 16, Blumenau et al. discloses wherein the node software interface further contains instructions for reading a serial identification corresponding to a host(col. 12, lines 31-37), generating a code value based upon the serial number, comparing the generated code value with a previously determined code value; and denying access to the SAN if the generated code value and the previously determined code value differ(see col. 40, lines 16-44, col. 41, lines 22-67, col. 42, lines 1-20).

19. As per claim 17, Blumenau et al. discloses instructions for generating a code value are executed in response to an event selected from a power on event and a software reset(see col. 12, lines 31-33).

20. As per claim 18, Blumenau et al. discloses wherein the switch includes a Fibre Channel compliant switch(see col. 12, lines 27-37).

21. As per claim 20, it is rejected under the same basis as claim 16.

22. As per claim 21, Blumenau et al. discloses wherein the code value is further based on a time stamp and date stamp(see (see col. 39, lines 44-54).

23. As per claim 22, it is rejected under the same basis as claim 5.

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (703) 306-0426. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.

Art Unit: 2131

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

\*\*\*

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100